

STANDARD OPERATING PROCEDURE



Title
**Court Ordered Release of Civil
Forfeiture Funds**

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DISTRICT OF COLUMBIA

I. PURPOSE:

To establish policy and procedures to be utilized by members of the Evidence Control Branch when releasing Court Ordered Civil Forfeiture Funds to the owner. Guidelines will be established for the systematic release of Court Ordered Civil Forfeiture Funds at the Evidence Control Branch.

II. SCOPE:

This policy applies to the release of Court Ordered Civil Forfeiture Funds. All court ordered releases are received via mail from the Superior Court of the District of Columbia or the United States District Court. All members assigned to the Evidence Control Branch shall familiarize themselves with the contents of this Standard Operating Procedure and comply with them at all times.

III. PROCEDURES:

A. Whenever a citizen attempts to have his/her property that was seized for civil forfeiture released at the Evidence Control Branch, a copy of the court order must be presented at the Evidence Control Branch Office. ECB staff shall check the court order carefully to ensure the following:

1. The Evidence Control Branch has the original court order on file.
 - a. Check P.D. 81 on file to see if original court order is attached.
 - b. If court order is not attached, make a copy, stamp "copy" on the court order, contact Corporation Counsel, and fax a copy of the court order to their office.
 - c. Request that the Office of the Corporation Counsel provide a response on the status of the civil forfeiture action within 24 hours.

- d. Ascertain citizen's telephone number to provide follow-up.
 - e. Note the status from Corporation Counsel on the P.D. 81.
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- 2. The court order is addressed to the Metropolitan Police Department, Property Clerk.
 - 3. The court order is signed by a judge and contains a raised seal and/or true seal from the court clerk's office.
 - 4. Once it has been determined that funds are eligible to be released members shall:
 - a. Determine the location of the funds:
 - i. If funds are located in Evidence Control Vault, members shall retrieve property and PD 81, request the respondent to sign PD 81, record address (including city, state and zip code), and telephone number on the PD 81. Members releasing funds shall make a color copy of respondent's ID, and initial and date the PD 81. All updates must then be entered into the AEGIS computer.
 - ii. If funds have been deposited in the D.C. Treasury, members shall copy respondent's ID and advise respondent that a voucher is required for the return of funds. Obtain a mailing address for the vouchering of funds. Advise the respondent that the voucher process requires forty-five (45) days for completion.
 - b. Fill out and submit Revenue Refund Voucher (FMS434). All pertinent information shall be entered to include the SOAR Document number. The submitting member and the ECB Deputy Manager shall sign the voucher. A copy of the order shall be attached to the voucher and the forms forwarded to the Office of the Chief Financial Officer, Voucher Processing Section.



Keith L. Williams
Captain/Manager